

REMARKS/ARGUMENTS

Claim 1 has been amended. Claims 1-10 and 12-17 remain in the application. No new matter has been added. Reconsideration of this application is respectfully requested.

Claim Rejection - 35 U.S.C. § 103:

Claims 1, 2, 6, 7, 8, 9, 10, 13, 14 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa et al (US 5,666,655) in view of Ueda (US 5,606,727).

Applicant has amended claim 1 to further clarify the invention. No new matter has been added. None of the cited references taken individually or in combination teach or suggest that which is claimed in claim 1, as amended.

Applicant teaches and claims in (d):

“ when a determination is made that the two or more groups should be reconfigured to allow a reduction in collisions on a communication channel, reconfiguring the grouping of radios based on the communication connection statistics gathered in step (b), wherein the communications connection statistics are used to determine the reconfigured radio groupings and wherein each of the reconfigured radio groupings are arranged to share different respective communication channels without removing radios from the system and without reducing the number of channels used amongst the groups.”

The Examiner concedes that Ishikawa does not teach this aspect of Applicant’s invention.

The Examiner states that it would have been obvious to one of ordinary skill in the art to provide “groups of mobile stations” and “colliding” of Ueda into the system of Ishikawa so that channel[s] are prevented from colliding with each other – (citing column 7, lines 33-47 of Ueda).

Applicant respectfully disagrees in that Ueda teaches re-assignment of channels not the regrouping of radios. There is absolutely no mention of reconfiguring the grouping of radios in Ueda.

Additionally, Ueda specifically recites in col. 7, lines 36 “assigning fewer shared channels.” Applicant has amended claim 1 to clarify that “... radio groupings ... share different

respective communication channels ... without reducing the number of channels used amongst the groups.”

Referring back to Applicant’s description of FIG. 6, we find the separation of the radios from FIG. 1 into different user groupings based on a communication connection statistic. In the first column, user grouping UGI 602 groups radios 1, 2, 3 communicating (over say IB1), UGII 604 groups radios 4, 5, 6 communicating (over say IB2) and UGIII 606 groups radios 7,8,9 communicating (over say IB3).

602	1,2,3	2,3,7	1,2,3	3,4,6	2,6,7
604	4,5,6	4,5,6	4,5,7	1,2,5	1,4,5
606	7,8,9	1,8,9	6,8,9	7,8,9	3,8,9

FIG. 6

If we look at the second column of FIG. 6, we see that based on a communication connection statistic, UG1 602 reconfigures to radios 2, 3, 7; UG2 604 reconfigures to radios 4, 5, 6 and UGIII 606 reconfigures to radios 1, 8, 9. Thus, UG1 602 shares a channel different from that of UGII and UGIII. And, UGII shares a channel different from that of UGI and UGIII. And, UGIII shares a channel different from that of UGI and UGII. But, Applicant does not assign fewer channels – all three channels are still being used.

Accordingly, the rejection of independent claim 1, as amended, is overcome.

Claims 2, 6, 7, 8, 9, 10, 13, 14 and 16 provide further limitations to what is believed to be allowable claim 1 and hence are also in condition for allowance. Claims 3-5, 8, 12, 15, and 17 depend either directly or indirectly on claim 1 and hence are also in condition for allowance. None of the cited references taken individually or in combination teach that which is claimed by Applicants' invention.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge Deposit Account 502117, Motorola, Inc, with any fees which may be required in the prosecution of this application.

Respectfully submitted,

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